Government of Pakistan
Ministry of Commerce
Directorate General of Trade Organisations
(Office of Regulator of Trade Organisations)
State Life Building No. 7, 2nd Floor,
Jinnah Avenue, Blue Area
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F. No. 6(28)/2026-TO

Islamabad, the 20th August, 2026

CONSOLIDATED ORDER NO. 51 / 2026

Passed by Bilal Khan Pasha, Regulator of Trade Organisations

IN THE MATTER OF CONSOLIDATED APPEALS UNDER RULE 18(7) OF THE TRADE ORGANISATIONS RULES, 2013 READ WITH SECTION 14(3)(e) OF THE TRADE ORGANISATIONS ACT, 2013

1. M/s Pakarab Fertilizers Limited

(Through Mr. Kamran Ahmad Awan, Authorized Representative)

2. M/s Fazal Farms (Private) Limited

(Through Mr. Basharat Hashmi, Company Secretary)

3. M/s Hussain Ginneries Limited

(Through Mr. Basharat Hashmi, Company Secretary)

4. M/s Zaffar Nasir Oil Extraction Limited

(Through Mr. Basharat Hashmi, Company Secretary)

5. M/s Fatima Energy Limited

(Through Mr. Kamran Ahmad Awan, Company Secretary)

6. M/s Bioforce Chemicals

(Through Authorized Representative)

7. M/s Hussain Mills Limited

(Through Mr. Muhammad Asif, Authorized Representative)

8. M/s Fazal Holding (Private) Limited

(Through Mr. Basharat Hashmi, Company Secretary)

... Appellants

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VERSUS

1. Secretary General, Multan Chamber of Commerce and Industry (MCCI)

2. Election Commission, Multan Chamber of Commerce and Industry (MCCI)

... Respondents

Place of Hearing: Office of Regulator of Trade Organisations, Directorate General of Trade Organisations, Islamabad

Present in the Hearing:

1. Mr. Basharat Hashim 2. Mr. Kamran Ahmed 3. Mr. Ibtsam Rashid Mirza, Advocate (on behalf of complainants) 4. Muhammad Zain	Complainants
1. Muhammad Shafiq, Secretary General MCCI 2. Ghulam Sabir, Advocate (on behalf of Respondents)	Respondents

Date of Hearing: 18-08-2026

Date of issuance of Order: 20-08-2026

This consolidated order disposes of eight (08) connected statutory appeals filed under Rule 18(7) of the Trade Organisations Rules, 2013 (the "Rules") read with Section 14(3)(e) of the Trade Organisations Act, 2013 (the "Act"). The Appellants have assailed the concurrent decisions of the Secretary General (dated 31.07.2026) and the Election Commission of the Multan Chamber of Commerce and Industry (dated 07.08.2026), whereby the Appellants were excluded from the Provisional Voters' List (PVL) for the MCCI Biennial Elections (Term 2026-2028).

1. FACTUAL MATRIX

i. The Executive Committee of the Multan Chamber of Commerce & Industry (MCCI) approved and announced the Election Schedule for the Biennial Elections (Term 2026-2028) on July 15, 2026, pursuant to Rule 14 of the Rules.

ii. Following the issuance of the Provisional Voters' List (PVL), the names of the eight (08) Appellant entities were excluded on the assertion that their earlier memberships had ceased due to non-payment of annual subscriptions by the statutory cutoff date of 31st March under Rule 11(4) of the Rules, read with Article 28(iii) of the Articles of Association of MCCI.

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iii. The Secretary General (SG) and subsequently the Election Commission (EC) of MCCI rejected the Appellants' objections and representations vide orders dated 31.07.2026 and 07.08.2026 respectively. The EC maintained that upon cessation of membership due to non-payment of subscription dues, the Appellants had submitted fresh applications, which amounted to "new enrollments" requiring completion of two (02) continuous years of valid membership under Rule 15(1)(a) of the Rules to acquire voting rights.

iv. Aggrieved of the impugned decisions, the Appellants preferred separate appeals before this Authority under Rule 18(7) of the Rules. Notices were issued vide F. No. 6(28)/2026-TO dated 11.08.2026, and the matter was heard at length on 18.08.2026, where learned counsel and representatives of all contesting parties appeared, submitted written statements and presented oral arguments.

2. SUBMISSIONS OF THE APPELLANTS

Learned counsel appearing on behalf of the Appellants submitted as under:

i. The Appellants are longstanding members of MCCI and not first-time entrants. The proviso to Section 10(7) of the Act read with the proviso to Rule 15(1)(a) explicitly creates a statutory carve-out for "old members" whose membership was discontinued due to non-payment of subscription dues, entitling them to vote upon completion of one (01) year of re-enrollment/restoration and payment of all dues.

ii. MCCI issued the subsequent membership certificates by retaining and continuing the pre-existing, historical membership numbers of the Appellants rather than assigning fresh membership numbers.

iii. Rule 15(1)(a) requires "completion of valid membership" and does not contain the word "consecutive" or "uninterrupted". The Chamber cannot import restrictive conditions into a beneficial statutory proviso.

3. SUBMISSIONS OF THE RESPONDENTS (MCCI SG & ELECTION COMMISSION)

Learned counsel and the Secretary General representing MCCI argued as follows:

i. In terms of Rule 11(4) of the Rules, membership is granted for one year and automatically expires on the 31st of March each year. Non-payment of annual subscription by 31st March results in automatic cessation of membership under Rule 11(4) read with Rule 11(5) and Article 28(iii) of MCCI's Articles of Association.

ii. When the Appellants deposited their dues after the 31st of March along with membership forms, these transactions legally constituted fresh admissions/new enrollments. Therefore, under the primary command of Section 10(7) of the Act and Rule 15(1)(a), the Appellants are required to complete two (02) years of valid membership to qualify for voting rights.

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iii. The respondents placed heavy reliance on the judgment of the Islamabad High Court reported as *Aftab Ahmed Barlas v. Director General of Trade Organizations & others* (2021 CLD 204 [Islamabad]), asserting that the ratio of the judgment mandates that late renewal after 31st March creates a statutory disability and strips the member of an immediate right to vote.

4. QUESTIONS FOR DETERMINATION

Having heard the arguments and appraised the statutory framework, the following questions arise for determination:

I. Whether the re-admission/deposit of dues by the Appellants after 31st March constitutes a "New Membership" requiring two (02) years of enrollment, or the "Re-enrollment/Restoration of an Old Member" governed by the one-year qualifying rule under the proviso to Section 10(7) of the Act and the proviso to Rule 15(1)(a) of the Rules?

II. What is the true ratio of the Islamabad High Court judgment in *Aftab Ahmed Barlas v. DGTO* (2021 CLD 204) and how does it apply to the present controversy?

III. Applying the statutory threshold, which of the eight (08) Appellants fulfill the requisite qualifying period of one year prior to the announcement of the Election Schedule on July 15, 2026?

5. LEGAL ANALYSIS AND FINDINGS

I. Nature of Membership: Renewal/Restoration vs. Fresh Admission

1. Section 10(7) of the Trade Organisations Act, 2013 lays down:

   "New members of the chambers and associations shall be eligible to vote on completion of two years of their enrollment and payment of all dues:

   Provided that old members of the chambers and associations at the time of renewal of membership which has been discontinued due to non payment of subscription dues shall be eligible to vote on completion of one year of their re-enrollment and payment of all dues."

2. Rule 15(1)(a) of the Trade Organisations Rules, 2013 reiterates this statutory command:

   "the member has completed two years of valid membership of the trade organization as on the date of announcement of election schedule by the executive committee of the trade organization:

   Provided that old members shall be eligible to vote on completion of one year of their enrollment and payment of all dues;"

3. During the hearing, this Authority conducted an inspection of the original membership records, files and application forms submitted by the Chamber. The examination revealed the following decisive facts:

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a. **Single Common Form:** The Secretary General conceded that MCCI does not prescribe distinct forms for renewal versus fresh admissions; a single common form is utilized.

b. **Absence of Proposers and Seconders:** In the submitted forms of the eight Appellants, the mandatory fields for "Proposer" and "Seconder" were left entirely blank. Under Rule 11(1)(c) of the Rules as well as the Articles of Association of MCCI, an application for *fresh admission* cannot be processed without being proposed and seconded by existing valid members. The omission of proposers and seconders confirms that these forms were submitted for renewal/re-enrollment of existing identities, not for fresh membership.

c. **Retention of Old Membership Numbers:** The Chamber continuously retained and assigned the historical membership numbers to the Appellants on the newly issued certificates (e.g., C-34, C-347, A-1749).

d. **Absence of Executive Committee Approval:** The Secretary General failed to produce any minutes or resolution of the Executive Committee approving the admission of these eight entities as new members, which is mandatory under the Chamber's Articles for new entrants. No such approval is required for annual renewals/restorations under Chamber's Articles.

II. Meaning of "Old Member" and the Scheme of Section 10(7)

1. While the term "Old Member" is not defined independently in Section 2 of the Act, its statutory purpose within Section 10(7) is unmistakable. The legislature consciously created two distinct classes for electoral eligibility:

   a. **Genuinely New Entrants:** Entities enrolling for the first time with a trade body must complete two (02) years of enrollment to vote.

   b. **Old Discontinued Members:** Existing members whose membership stood discontinued solely on account of a default in timely payment of subscription dues (i.e., missing the 31st March deadline under Rule 11(4)) are not treated as alien entrants. The law grants them a mitigated qualifying threshold of one (01) year of re-enrollment/restoration upon discharging all outstanding dues.

2. To hold that an old member who pays renewal dues late must be treated as a brand-new entrant subject to a two-year waiting period would render the proviso to Section 10(7) and the proviso to Rule 15(1)(a) entirely redundant and otiose, a result strictly prohibited by established cannons of statutory interpretation.

III. Appraisal of *Aftab Ahmed Barlas v. DGTO* (2021 CLD 204 Islamabad)

1. The learned counsel for the Respondent Chamber has fundamentally misconstrued the ratio of the Islamabad High Court judgment in *Aftab Ahmed Barlas*.

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2. In the *Barlas* case, the member (M/s S.A. Trading) defaulted on its renewal dues on 31.03.2019, paid its subscription fee on 20.08.2019, was issued a certificate on 23.08.2019, and sought to vote in elections scheduled in October/November 2019 (barely 2 to 3 months after renewal).

3. The Hon'ble High Court held that under the proviso to Section 10(7) read with Rules 11(4) and 11(5), a discontinued member whose membership is renewed after 31st March is subject to a statutory disability and "would be ineligible to vote until the completion of one year of the renewal of its membership and the payment of all dues" (Paragraphs 20 & 21).

4. The ratio decidendi of *Aftab Ahmed Barlas* is that an old member who renews after 31st March cannot vote *immediately* but must complete a qualifying period of one full year from the date of re-enrollment/payment of dues.

5. Rather than supporting the Chamber's stance of imposing a two-year bar, the judgment firmly establishes that an old member becomes fully eligible to vote upon completing one year from the date of re-enrollment/restoration.

6. DETERMINATION OF INDIVIDUAL ELIGIBILITY

i. The material date for determining voter eligibility under Rule 15(1)(a) is the date of announcement of the election schedule, which in the instant case was July 15, 2026.

ii. To qualify as an eligible voter under the proviso to Section 10(7) and the proviso to Rule 15(1)(a), an old member must have discharged all dues and secured re-enrollment/renewal on or before July 15, 2025 (completing one full year prior to 15.07.2026).

iii. An individualized scrutiny of the membership records, payment chronologies and certificate issuance dates of the eight (08) Appellant entities against the statutory benchmark of July 15, 2026 (the date of announcement of the election schedule) establishes the following determinations:

1. M/s Pakarab Fertilizers Limited (Corporate Class): The record confirms that the company submitted its membership dues and application form on May 20, 2025, and was issued its membership certificate accordingly. As of the material cutoff date of July 15, 2026, the company completed an enrollment period of more than one year. Having surpassed the mandatory statutory waiting threshold of one year prescribed under the proviso to Section 10(7) of the Act and the proviso to Rule 15(1)(a) of the Rules, M/s Pakarab Fertilizers Limited is determined to be **Qualified and Eligible** for inclusion in the Final Voters' List.

2. M/s Fazal Farms (Private) Limited (Corporate Class): Following the expiration of its earlier annual term on March 31, 2025, the company deposited its outstanding renewal dues on June 23, 2025, submitted the requisite form on June 24, 2025, and was issued its restored membership certificate on July 01, 2025 under its historical Membership No. C-48. By July 15, 2026, the company completed one year and fourteen days of re-enrollment. Consequently, it fully satisfies the statutory requirement of completing one year prior to the issuance of the election schedule and is **Qualified and Eligible** to vote.

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3. M/s Hussain Ginneries Limited (Corporate Class): The appellant discharged its outstanding dues on June 19, 2025, submitted its form on June 24, 2025, and received its membership certificate on July 01, 2025 under Membership No. C-49. As of July 15, 2026, M/s Hussain Ginneries Limited completed one year and fourteen days from the date of re-enrollment, thereby fulfilling the one-year qualifying period under the governing statutory provisos and is determined to be **Qualified and Eligible**.

4. M/s Zaffar Nasir Oil Extraction Limited (Corporate Class): The appellant deposited its renewal subscription on June 19, 2025, followed by the submission of the application on June 24, 2025, and the issuance of its membership certificate on July 01, 2025 under Membership No. C-499. As of July 15, 2026, the company completed one year and fourteen days of valid re-enrollment. Having fulfilled the one-year requirement under Section 10(7) of the Act and Rule 15(1)(a) of the Rules, it is **Qualified and Eligible** for inclusion in the voters' list.

5. M/s Fatima Energy Limited (Corporate Class): The record reflects that the company paid its outstanding dues, submitted its membership form, and was issued its membership certificate on February 28, 2025 under Membership No. C-21. By July 15, 2026, the company completed one year, four months, and seventeen days of re-enrollment. It therefore easily surpasses the one-year statutory waiting requirement and is determined to be **Qualified and Eligible**.

6. M/s Bioforce Chemicals (Associate Class): The documentary evidence confirms that the appellant held continuous membership under Membership No. A-1749, having been issued membership certificates on November 21, 2023, April 25, 2024 (for 2024–2025), and April 05, 2025 (for 2025–2026). The appellant completed well over one full year of valid enrollment prior to July 15, 2026. The Chamber's refusal to recognize this established record is unfounded, and M/s Bioforce Chemicals is **Qualified and Eligible** to vote in the Associate Class.

7. M/s Hussain Mills Limited (Corporate Class): The membership record and certificate (Serial No. B 1752382) establish that following the non-payment of subscription by March 31, 2025, the company deposited its dues and was issued its membership certificate on July 29, 2025. Calculating the period between July 29, 2025, and the announcement of the election schedule on July 15, 2026, the company completed only eleven (11) months and sixteen (16) days of re-enrollment. Because it fell short of the mandatory one-year qualifying threshold as on the date of the election schedule announcement, M/s Hussain Mills Limited remains subject to statutory disability under Section 10(7) of the Act read with Rule 15(1)(a) of the Rules and is determined to be **Disqualified and Ineligible**.

8. M/s Fazal Holding (Private) Limited (Corporate Class): Following the lapse of its membership on March 31, 2025, the company submitted its renewal dues and membership form on September 18, 2025, and was issued its membership certificate on October 06, 2025 under Membership No. C-347. As of July 15, 2026, the company completed only nine (09) months and nine (09) days of re-enrollment. Having failed to complete the mandatory one full year of re-enrollment prior to the announcement of the election schedule,

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M/s Fazal Holding (Private) Limited fails to satisfy the statutory criteria and is determined to be **Disqualified and Ineligible**.

ORDER:-

In exercise of the powers conferred under Section 14(3)(e) of the Trade Organisations Act, 2013 read with Rule 18(7) of the Trade Organisations Rules, 2013, it is hereby ordered as follows:

1. **Appeals Allowed:** The appeals filed by (1) M/s Pakarab Fertilizers Limited, (2) M/s Fazal Farms (Pvt.) Limited, (3) M/s Hussain Ginneries Limited, (4) M/s Zaffar Nasir Oil Extraction Limited, (5) M/s Fatima Energy Limited, and (6) M/s Bioforce Chemicals are hereby ACCEPTED. The impugned decisions of the Secretary General dated 31.07.2026 and the Election Commission dated 07.08.2026 excluding these six entities are set aside. The Secretary General and Election Commission of MCCI are directed to immediately include the names of these six (06) entities in the Final Voters' List (FVL) for MCCI Biennial Elections 2026–2028 under their respective membership classes.

2. **Appeals Dismissed:** The appeals filed by (7) M/s Hussain Mills Limited and (8) M/s Fazal Holding (Private) Limited are hereby DISMISSED. The decisions of the Secretary General and Election Commission excluding these two entities from the voters' list for the Biennial Elections 2026–2028 are UPHELD, as both entities failed to complete the mandatory one-year qualifying period prior to the announcement of the election schedule.

3. **Compliance:** The Secretary General, MCCI, shall display the updated Final Voters' List on the notice board and official website of the Chamber within the timeframe prescribed under Rule 18(8) of the Rules and submit an immediate compliance report to this Directorate.

Matter stands disposed of in above terms.

(Bilal Khan Pasha)
Regulator (TOs)

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Announced dated: -20-08-2026